IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2372 OF 2000

OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

Shri H.V.Mehta for the Applicant.
Shri Uday Shankar Samudrala for the Respondent No.1.
Shri U.V.Nikam, A.P.P for the State.

CORAM : A. S. OKA, J.
DATE : DECEMBER 19, 2006.

P.C.:

1. Heard the Advocates appearing for the parties. This is an Application for leave to prefer an Appeal against the order of acquittal dated 24th January, 2000. The Respondents have been acquitted for offence punishable under section 85(a) of the Employees' State Insurance Act. The allegation of the Applicant (complainant) is that Respondents failed to pay contribution for October, November and December 1988. The learned Trial Judge has considered the evidence of the prosecution witnesses and has come to the conclusion that the offence

is not established. The learned Judge has noted that payment of contribution was made by the Respondents. The view taken by the learned Trial Judge is a possible view. No case is made out for grant of leave. Application is rejected.

JUDGE